

# COMMITTEE ON THE IMPACT OF DOMESTIC VIOLENCE AND THE COURTS

## Meeting Minutes

June 05, 2002, 12:00 Noon - 4:00 PM

State Courts Building

Conference Room 119 A&B

Phoenix, AZ

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### CIDVC Members Present

Hon. Karen O'Connor, Chair  
Hon. Chris Wotruba  
Hon. George Anagnost  
Margaret Bentzen  
Jerry Bernstein, Esq.  
Martha Fraser Harmon  
Hon. Dana Hendrix  
Donna Irwin  
Bob James  
Patricia Klahr  
Dr. Teresa Lanier  
Sheri Lauritano, Esq.  
Hon. Mark Moran  
Dr. Anu Partap  
Tracey Wilkinson

### Members participating by telephone

Hallie Bonger-White, Esq.

### Staff

Catherine Drezak

### Members using a Proxy

Hon. Ronald Karp  
Robert M. Lehner  
Denise Lundin  
Hon. Mary Helen Maley

### Members RSVP (unable to attend)

Hon. Sherry Geisler  
John Pombier, Esq.

### Members not present

### Guests

Allie Bones, ACADV  
Laura Guild, DES  
Kathy Seeglitz, DES  
Virginia Chafen, public  
Sydney Gleba  
Stacia Erkrnbrack  
Pam Peet, ITD  
Tim Lawler, AOC  
David Berg, AOC

## Quorum: Yes

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### **Call Meeting to Order ..... Judge O'Connor**

The meeting was called to order at 12:20. All those persons present introduced themselves. Guests attending the meeting were welcomed.

### **Review of Previous Meeting Minutes ..... Judge O'Connor**

Minutes of the February 14, 2002 and May 13, 2002 meetings were reviewed and no revisions were proposed.

**Motion: Approve the February 14, 2001 and May 13, 2002 minutes as written.**

**Action: Pass**

## **MEETING BUSINESS AGENDA**

### **A. STRATEGIC PLANNING ..... Judge O'Connor**

#### **1. Review member surveys**

Very few member surveys were received, but the majority listed education, technology and batterer intervention as the top three priorities.

#### **2. Discuss and rank priorities**

There was variety of topics discussed by the committee and it was decided to lump the topics into four broad categories. The following are the topics discussed, listed by the committee's category priorities:

##### ***a) Education***

###### ***1) Judicial***

Mandatory, new judge orientation, family and integrated court, benchbooks, ethics opinion, CLE, Tribal courts on service, issues which judges see in cases (priority for OP cases is questioned), intervention to focus on judges, what to do if intervention/ procedures for when system doesn't work as envisioned, How to get through the system, NEW ISSUE: attorneys representing ask for OP be delayed making OP ineffectual, specific program of education- ethics training only requirement, CLE, recommendation from supreme court DV mandatory, unique ways to deliver info to judges.

###### ***Task Assignment: (August agenda item)***

- Develop a blueprint (goals and objectives) to focus judicial education: Judge Moran, Comm. Wotruba, Dr. Partap, Donna Irwin, Margie Bentzen, Tracey Wilkinson
- Time-line development: Judge Moran
- Set up meeting: Catherine

###### ***2) General Public***

Bookmark, Spanish forms, Pamphlet on domestic violence and child custody, assistance materials for victims- how to pathway.

###### ***Task Assignment:***

- Send Spanish forms to Catherine to post on CIDVC web: Bob James
- Send protection order booklet material to Donna Irwin for printing:

Catherine

###### ***3) Collaboration***

DV broadcast, confidentiality, Law enforcement, law enforcement response goes hand in hand with courts, FF&C issues, work with Tribal courts

###### ***Task Assignment: (August agenda item)***

FF&C Team presentation Aug agenda: Donna Irwin

4) Effects on children

Physicians' information and referrals, effects on children (decisions made), child witnessing, community services, gaps in service.

**Task Assignment:**

- Get aba and web site articles on effects to Catherine: Dr. Partap

**b) Technology issues**

- 1) Communications
- 2) Forms- user friendly, stream-line, victim friendly
- 3) Continuity in processes

**Task Assignment: (August agenda item)**

- Work with technology group and develop a presentation for CIDVC August agenda: Judge Anagnost, Bob James, Denise Lundin, Donna Irwin, Tracey Wilkinson  
- Forms, review for simplification to assist for staff and victims  
- Coordinate meeting with ITD - tech issues workgroup: Catherine  
- 2002 legislative DV forms changes for August agenda: Catherine

**c) Legislation**

- 1) Confidentiality
- 2) Reporting requirements
- 3) Interfacing with LJC and other committees

**Task Assignment: (August agenda item)**

**d) Victim safety/ Batterer accountability/ Justice (overarching concern)**

- 1) Increase communications between courts
- 2) Confidentiality issues

**Task Assignment:**

- Conduit from Governor's DV Commission to CIDVC: Donna Irwin  
- Bring MAN recommendations to CIDVC: Martha Harmon  
- In charge of Victim safety / Batterer accountability: Donna Irwin and Martha Harmon

**3) Set goals & objectives**

The CIDVC Mission statement will be included in the 2003 strategic plan. Essentially CIDVC is charged to study and make recommendations on the impact of DV issues on local & state courts. As the committee has only three meetings remaining in 2002 the strategic plan should be both practical and doable by the committee. Although CIDVC focuses on the courts, CIDVC recognizes that victims and the community have to be a part of the overall solution to domestic violence. In a variety of ways the members expressed a feeling of a disconnect between CIDVC and other committees, the AOC, courts and the community. The committee has been busy but seems to have gone "off track" and has become a reactive rather than a proactive body. In defining a focus

CIDVC should build on power of committee instead of being lost in the minutia. Domestic Violence is an expanding area between courts and public and this broader perspective needs to be taken into account when CIDVC develops its goals. How the committee addresses the administration of justice, and the promotion of recommendations are as important as how the committee approaches these topics. The committee as a whole needs to be involved, not just the workgroups. CIDVC can also serve as a conduit “service” for law enforcement, victims, advocacy groups, batterer services and the communities. In developing the forms the committee needs to combine information from judicial statistics as well as community/ victim aspects to get a good view of the DV problem in Arizona. The committee accepted the proposed topics.

**B. REVIEW 2002-2003 MEETING SCHEDULE ..... Judge O’Connor**

**1) Suggested changes**

The committee reviewed the proposed 2003 schedule of meetings which was based on the responses to the survey emailed to the members. Members reviewed their calendars and no known conflicts were noticed.

**2) Advance agenda planning**

Place agenda items on the meeting agendas to reflect the strategic plan.

**Old Business ..... Judge O’Connor**

**A. Legislative Update**

Committee members found the legislative update during the legislative session to be useful. Members also want regular legislative updates from the AOC while the bills go through the process.

**New Business ..... Judge O’Connor**

**A. Legislation recommendations**

The legislation recommendation packets were distributed at the meeting and members encouraged to submit their DV issues at the August meeting. A copy of the packet and previous year(s) CIDVC legislation packets will also be available on the CIDVC web site.

**B. Announce Service Provider opening**

There is an opening on CIDVC for a Service Provider position and a Sheriff Department position. Catherine: check into the Sheriff Department requirements to clarify who is eligible.

**Call to the Public ..... Public Attending**

**Speaker:** Allie Bones

**Item:** Victim safety/ batterer accountability needs to be an overarching values in all activities. The ACADV is doing a variety of things such as: setting up a group to discuss abuse of protective orders; working with Child Protective Services and courts on protocols screening for domestic violence and advocate confidentiality. She stated that differing protective order forms can hinder enforcement across the state. Although the advocate confidentiality legislation did not pass but she appreciated CIDVC’s help in defense of ACADV bills legis on abuse of orders of protection.

**Speaker:** Sydney Gleba

**Item:** Maricopa case on custody issue, father abandoned the child but given custody, judge didn’t apply the AZ laws to case and disregarded DV issues. CIDVC will develop a pamphlet to

assist persons with the navigation of the system when there is domestic violence and child custody in DR cases.

**Next Meeting** ..... August 8, 2002, 12 Noon - 4:00 PM, Flagstaff, TBD  
Catherine will check on conference call ability on the site.

**Adjournment** ..... **Judge O'Connor**

The meeting adjourned at 2:45 PM.